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Convention on the Elimination of All Forms of Discrimination against Women

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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the seventh periodic report of Paraguay

Addendum

Replies of Paraguay*

[Date received: 27 June 2017]

Note: The present document is being circulated in English, French and Spanish only.
* The present document is being issued without formal editing.

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Question 1

1. In 2015, the Network against All Forms of Discrimination resubmitted to the Senate the draft bill on the suppression of all forms of discrimination, accompanied by the favourable opinion of the Standing Advisory Commissions on Human Rights and on Equity and Gender, and pending the opinions of the Standing Advisory Commissions on Constitutional Matters and on Legislation. Act No. 5777/16 (Comprehensive measures to protect women from all forms of violence) and Act No. 5446/15 (Public policies for rural women) use the same definition of discrimination as appears in articles 5 (b) and 2 of the Convention on the Elimination of All Forms of Discrimination against Women.

Question 2

2. All the protocols of the Ministry of Justice have a gender perspective. They are currently being publicized in connection with the gradual implementation of the Mandela Rules in that Ministry. In addition, other protocols and programmes have been adopted.

Question 3

3. The Ministry of Public Defence adopted the gender equality policy in order to facilitate access to justice for all women and to improve legal aid. The Gender Observatory was created to promote the application of international instruments. Special public defenders will be appointed for the implementation of Act No. 5777/16 (Comprehensive measures to protect women from all forms of violence).

4. As part of the project for the application of international human rights instruments by public defence staff, the Convention on the Elimination of All Forms of Discrimination against Women and the Bangkok Rules were specifically promoted in Paraguay's inland departments. A specialized consultancy for indigenous peoples is studying special procedures for indigenous persons. It is staffed by lawyers, anthropologists and experts in indigenous culture who assist the public defenders and periodically visit prisons and indigenous communities, focusing on cases relating to indigenous women in prison.

5. Through specific arrangements in favour of indigenous peoples, the National Institute of Indigenous Affairs has urged the competent judicial institutions to practise positive discrimination in all cases involving an indigenous community or an indigenous person. Together the Human Resources Department of the judiciary, indigenous representatives and the Institute drafted the protocol of measures to promote intercultural justice. This legal instrument guarantees access to justice for indigenous citizens and communities.

6. The gender mechanism of the Supreme Court is analysing whether court decisions have cited and applied to all districts of the judiciary the international instruments on the human rights of women: the Convention on the Elimination of All Forms of Discrimination against Women, the 100 Brasilia Rules, Act No. 605/95 (Convention of Belém do Pará) and Act No. 1600/00 (Measures to combat domestic violence). Of 492 decisions analysed, 491 concerned domestic violence and in all cases the 100 Brasilia Rules, Act No. 605/95 (Convention of Belém do Pará) and the Convention on the Elimination of All Forms of Discrimination against Women were cited. The judiciary has a channel of communication between judicial workers and the members of their community and the system enables community members to overcome their situation of social exclusion. Each facilitator plays a key role in civic and legal training, dispensing education about rights (40 per cent of facilitators

are women from rural and indigenous areas). Training in the rights of indigenous women has been given in 99 per cent of communities (Itapúa is the exception). Training in the rights of women has been provided to 100 per cent of women in rural areas.

7. Together with the Justice and Gender Foundation, the Paraguay Southern Cone Association for the Justice and Gender Foundation, the Gender Secretariat of the judiciary is working to establish the Association of Female Magistrates of the Republic of Paraguay. The aims of the Association include promotion of the gender perspective and of women's rights in the administration of justice, to be discussed from the human rights viewpoint. In this connection, a series of seminars, lectures, panel discussions and forums have been organized on women's human rights and other activities are being supported for the promotion and enforcement of women's rights in the justice system. On 24 February 2017, a panel discussion on sexual abuse of girls was held for judicial workers and the general public, with the goal of mainstreaming gender in cases of abuse as a form of violence against children and adolescents.

Question 4

8. Raising the status of the Women's Secretariat to the level of a Ministry allows this unit to be part of the Council of Ministers and to participate in the formulation and implementation of the National Development Plan (government programme) and in the creation of the Tripartite Board, also involving the Technical Planning Secretariat and the Ministry of Finance for the purpose of mainstreaming gender at the central, departmental and municipal levels, as well as in many other forums and spaces for cooperation, liaison and partnership. A good example of liaison at the highest government level is the development of the Women's City at Villa Elisa, in Central department. This is the most important example so far of sector coordination for the provision of public services geared to the empowerment of women. A timeline is attached showing laws promulgated that illustrate the progress made since 2012.

9. The principal instruments for linking and harmonizing the agendas of the gender mechanisms have been the National Development Plan, the Third National Plan for Equality of Opportunities between Women and Men and the Strategic Institutional Plan of the Ministry for Women's Affairs. The Ministry holds frequent meetings and provides assistance for technical capacity-building, with a focus on priority areas: gender-based violence, economic empowerment, political participation and gender-sensitive budgeting. Cooperation with the legislature on the review of draft legislation involves the Gender Commissions of both houses and the judiciary through inter-agency organs drafting protocols and policies.

10. The gender mechanisms have clearly defined mandates and responsibilities and in recent years have made important progress in promoting gender policies. The main challenges are how to increase budgetary allocations, to devise follow-up mechanisms and to evaluate output in terms of change in the lives of women and girls. This process of thematic and programmatic decentralization has progressed as regards activities or action on behalf of women throughout the country, which under the National Development Plan should become departmental and municipal plans. In 2017, adjustments are to be made in these plans. In particular, in pursuance of article 12 of the Municipal Organic Law, the Ministry for Women's Affairs is urging municipalities to make greater efforts to formulate municipal public policies concerning gender and with a gender perspective.

Question 5

11. Resolution No. 394/14 makes the Ministry for Women's Affairs responsible for the implementation, coordination, oversight and evaluation of the Strategic Institutional Plan for 2014-2018 and also deals with establishment of and compliance with the monitoring and evaluation system. Under this system, the three Deputy Ministries monitor the situation twice yearly and propose adjustments and modifications. The budget for each fiscal year allocates sufficient resources for compliance and evaluation. Partnerships with civil society, international bodies and cooperation agencies are important for the attainment of institutional goals.

Question 6

12. The draft bill on democratic parity was submitted to the Senate on 8 March 2016 with a favourable and an unfavourable opinion of the Standing Advisory Commission on Constitutional Matters. It is still pending in the Standing Advisory Commissions on Legislation and on Equity and Gender. The bill is designed to correct the imbalances in political representation and to incorporate in the legal order the mechanism of democratic parity existing in the private, public and electoral sectors. The statement of reasons mentions the Convention on the Elimination of All Forms of Discrimination against Women, international treaties and regional agreements advocating these goals and commitments.

13. The political participation section of the Electoral Justice Tribunal is dealing with the project entitled "Getting to know our women leaders". The goal is to encourage women to participate and seek elective office, by analysing women's strengths and weaknesses in office. Workshops are currently being held with departmental and municipal authorities, district electoral registration workers and civil society.

14. The Ministry for Women's Affairs is coordinating the 2016-2018 Three-Year Plan for the Social and Political Participation of Women. In this context, a female empowerment programme for parity democracy conducts experiential empowerment workshops and gives presentations on laws recently promulgated and on the draft bill on democratic parity. UN-Women and UNDP are supporting a project on capacity-building for the political participation of women. Women politicians are being trained in coordination with the country's political parties, using thematic booklets and the method of training the trainers. There will be lobbying for the draft bill mentioned above and opportunities to meet with the national political class.

Question 7

15. The nation-wide "Dating without violence" campaign of the Ministry for Women's Affairs is designed to prevent and detect instances of date violence and to impress on young people the importance of building healthy relationships. It has reached over 10,000 young people in the capital and elsewhere and students aspiring to be cadets in the National Police cadets have participated.

16. The first survey of time utilization was conducted in 2016 by the Directorate General of Statistics, Surveys and Censuses and the findings are being reviewed and analysed. The survey measures the different amounts of time spent on unpaid domestic tasks by men and women, disaggregated by age and urban/rural and separating caregiving tasks. In the same year, an inter-agency group was formed to spearhead the formulation of a national care policy in Paraguay. This technical team was established by executive decree and works closely with political decision-makers and civil society organizations.

Question 8

17. The bill was indeed adopted and was promulgated in 2016 as Act No. 5777/16. On 28 March, the executive issued the enforcement regulations in Decree No. 6973/17. The Ministry for Women's Affairs transmitted the Act and highlighted the article on responsibilities of the agencies involved in its enforcement. An Inter-agency Board was established and is dealing with its implementation and with the monitoring of cases and protection of women facing violence.

18. Regarding the word "gender", the Commission on Human Rights of the Chamber of Deputies opened the discussion with a public consultation in which differing views were expressed both by civil society and by government agencies. Several issues were discussed in depth, including types of violence, responsibility of the intervening agencies and the conceptual differences about the meaning and scope of the word "gender". These reflected the cultural context existing in Paraguay, which makes it difficult to admit the existence of the social problem of violence against women. In view of these irreconcilable positions and since a fundamental element of democratic processes is consensus on political decisions, the legislature decided not to include the word "gender" and to concentrate on the other points actually related to the integrity of women on which views did coincide, so that the text could finally be adopted.

19. During 2017, the President of the Supreme Court convened several inter-agency meetings to decide on a full definition of the crime of femicide introduced by Act No. 5777. The Gender Secretariat of the judiciary plans to implement the training programme and considers the awareness-raising and training process to be a way of providing a significant learning experience.

20. In 2015, the Ombudsman's Office created the inter-agency working group, with technical assistance from the ComVoMujer regional programme, in order to draft an inter-agency action protocol on violent death, attempted murder and high-risk violence against women by their partner or former partner (PROMUVI) in accordance with the Comprehensive Protection Act. It should be mentioned that today this instrument is well on the way to being officially published and effectively implemented.

21. After approving the Gender Action Plan by ministerial resolution No. 881/2015, the Social Welfare Secretariat is drafting a manual on violence against women, children and adolescents based on the programmes and projects. Together with the Ministry of Health, it is instructing health services throughout the country to implement the national anti-violence programme.

Question 9

22. In order to formulate the Plan, studies were conducted on the issue of violence against women and the response of the State and Paraguayan society. There were discussion meetings and analysis with representatives of public and private universities, business people, the press, churches and women's organizations in May, June, July and August 2015. An Inter-agency Board for the prevention, care, case follow-up and protection of women facing violence was created with 14 State agencies responsible for the prevention, care and protection of women facing violence. In accordance with Act No. 5777/16 (Comprehensive protection of women from all forms of violence) and its enforcement decree No. 6973, it is planned to introduce a single standardized system for registering complaints of violence.

23. In addition, one of the main components of the National Plan to combat violence against women is the introduction of a national system for recording cases of women facing violence. To this end, action is coordinated with institutions such

as the judiciary which are crucial for the collection and organization of data including full information about the causes, consequences and frequency of violence against women. A technical team will also be formed to monitor and evaluate the Plan, which will oversee activities and compliance with Plan targets and indicators.

24. The judiciary is working on a situation analysis of the registration system, studying the number of cases registered, by type of violence, disaggregated by gender. It collects for its Gender Observatory information consisting of statistical data provided by the Documentation and Archives Centre of the judiciary listing complaints of domestic and family violence dealt with by magistrates' courts throughout the country. These data are then classified, as are other data illustrating the scourge of violence affecting women, such as:

(a) Cases of domestic violence and sexual coercion reported on line in the period 2012-2014;

(b) Complaints concerning sexual abuse of girls and adolescents;

(c) Violent deaths of women due to gender asymmetry.

25. Statistical data are also collected from other branches of the judiciary such as the Directorate of Judicial Statistics, the Public Registry and public institutions including the National Police, the Ministry for Women's Affairs, the Public Prosecution Service, the Women's Correctional Facility, the Ministry of Public Health and Social Welfare, and the Directorate General of Statistics, Surveys and Censuses. All information is centralized in the Gender Observatory of the Supreme Court and registry data are constantly updated to reflect the situation of women as they obtain improved access to justice.

26. In accordance with General Instruction No. 9/2011, government attorneys and civil servants at all levels receive ongoing training at the Training Centre of the Public Prosecution Service on procedures to be followed when investigating punishable actions of family and gender-based violence, so as to ensure that criminal investigations are effective and efficient. The judiciary is taking steps to promote the draft protocol to be followed by magistrates in cases of domestic and family violence. The protocol will provide recommendations and basic guidelines for judges trying cases of domestic and family violence and will guarantee effective law enforcement and thus promote access to justice.

27. The Public Prosecution Service enforces General Instruction FGE No. 9/11 of 22 November 2011, containing guidelines for government attorneys investigating punishable acts of family and domestic violence and designed to ensure an effective and efficient criminal investigation. As regards the measures adopted, it should be noted that this is a binding document requiring mandatory compliance by all officials of the Public Prosecution Service. Non-compliance is punishable by the General Institutional Inspectorate in accordance with the Organic Law of the Public Prosecution Service and the Internal Regulations of that institution. Mention should also be made of General Instruction No. 9/15 establishing procedures to be followed by government attorneys throughout the country in order to institute proceedings in the Victim Care Centre. This Instruction is so far the first policy document applicable to the justice system and in particular to criminal proceedings that authorizes use of the Gesell chamber for victims, witnesses and persons in a vulnerable situation.

Question 10

28. The annual #Lazo Verde campaigns against sexual abuse of children and adolescents seek to make public and private institutions, the media, adult citizens

and children and adolescents aware of sexual abuse affecting children and adolescents.

29. The Real Friend campaign raises awareness of the rights of children and adolescents and publicizes the telephone help line (147 FONO AYUDA). This specialized service provides psychological, social and legal guidance in cases of ill-treatment, sexual abuse, labour exploitation and other rights violations.

30. The Hot Clothes campaign, with its slogan "Adults marketing innocence", denounces the world's first line of "hot clothes" for children.

31. Operation Transchaco Rally is held each year because each year there are complaints of some type of violation, especially involving trafficked children and adolescents. The Programme of Comprehensive Care for Victims of Trafficking and Sexual Exploitation encourages prevention and publicity, with emphasis on communities of indigenous peoples (prior to the event) and on-site monitoring on days when the actual activities are occurring. Thanks to coordinated work between public and private institutions, there have in recent years been no complaints of rights violations involving children and adolescents during the Transchaco Rally.

32. The campaign "Reporting Sexual Abuse: We are All Responsible" has been declared to be of national interest and is supported by public and private institutions and various media.

33. The "Educating about Justice" campaign promotes shared growth through interactive work and teaches children and young people visiting the Palace of Justice about the services provided by this branch of government.

34. The "Oversight in School and College" campaign is an educational activity to foster awareness and prevention of the adverse effects of social networks and the risks which they most frequently pose for children and adolescents.

35. The 2017 Panel Discussion on Legal Matters at the Training Centre of the Public Prosecution Service dealt with the topic "Place of commission and chain of custody in cases of punishable life-threatening actions" and focused on assistance to victims of sexual abuse. The Panel Discussion on "Family violence, femicide and the role of the forensic expert" was organized by the Association of Psychologists of the Public Prosecution Service and attended by numerous professionals in this field who act as forensic experts in the capital and elsewhere in Paraguay.

36. The Ministry of Public Health is implementing the 2014-2018 National Sexual and Reproductive Health Plan. Linkages have been created nationally and regionally to focus the actions of the various institutions involved and thus optimize the provision of services and comprehensive approaches using instruments including the protocol for gender-based investigation of violence against women in the home drafted by the Public Prosecution Service in liaison with the Ministry of the Interior, the National Police and the Ministry for Women's Affairs, and the regional protocol for comprehensive care of victims of gender-based violence. The Working Group of the National Commission for Prevention and Comprehensive Care for Child and Adolescent Victims of Violence in Paraguay is also involved. Important activities and draft legislation were announced, analysed and discussed. They included: regulations on alternative care for children and adolescents in foster families and shelters, drafted as part of the legal responsibilities of the National Secretariat for Children and Adolescents, as the body responsible for public policies; the draft bill containing rules for the prevention of sexual violence and comprehensive care of sexually abused children and adolescents; Act No. 5659/16 promoting good treatment, positive nurturing and protection of children and adolescents against physical punishment or any type of violence as a method of correction or discipline, in order to put an end to violence. These discussions included a segment on Act

No. 4294/11 establishing a special procedure for specialized courts dealing with child abuse.

37. The Public Prosecution Service introduced the Guide for approaching parents, teachers and children on the subject of sexual abuse of children. The XVIIIth Meeting of MERCOSUR Public Prosecutors adopted the Guide for Public Prosecutors on criminal investigation of cases of sexual violence committed in the context of international crimes and in particular of crimes against humanity. Conversations on human rights were held with inmates of the Casa del Buen Pastor women's correctional institution.

38. The Ministry for Women's Affairs is supporting the "Justice is coming to your neighbourhood" campaign with the aim of promoting efforts to combat family and gender-based violence. There are meetings to study complaints from persons involved in situations of aggression, information workshops and material with important information for participants.

39. Since February 2017, the National Police and the Ministry of the Interior have been engaged in preventive activities under the "Let's be citizens" programme. Their staff are conducting conversations about the prevention of family violence and violence against women. The Department for the Rights of Women and Gender Issues is working with the Health Directorate of the Ombudsman's Office and the Directorate for Sexual and Reproductive Health of the Ministry of Public Health and Social Welfare to hold talks at educational institutions on violence against women and sexually transmitted diseases, providing all the necessary information to students, in order to do everything possible to prevent disease and unwanted pregnancy among young girls and adolescents.

Question 11

40. Act No. 4788/12 on the National Programme to Prevent and Combat Human Trafficking and Care for the Victims is establishing a National Fund for Prevention and Care for the Victims of Human Trafficking, to be administered by the Programme. Neither the National Programme nor the Fund are administrative creations: no special body was set up, as specified in the final and temporary provisions. In the budget of the Ministry for Women's Issues, 21 per cent is allocated to the item "Services for women", 11 per cent is for combating human trafficking, meaning that only 2 per cent of the total budget allocation is earmarked for comprehensive care for women being trafficked.

41. In 2015, the National Secretariat for Children and Adolescents had a budget of Gs 171,470,000 (one hundred and seventy-one million, four hundred and seventy thousand guaranies) for trafficking issues.

42. So far, the Ministry for Women's Affairs has created and installed 11 Departmental Boards for the Prevention and Combating of Human Trafficking and four District Inter-Agency Boards. In addition, it is creating stronger links between these decentralized bodies through a training and updating workshop that focuses on work planning and supports the process of regulation of these bodies. The general protocol for the care of persons affected by trafficking in Paraguay was approved in 2016 and is now part of the existing legislation (Act No. 4788/12 — Comprehensive Act to Combat Trafficking in Persons).

43. There are partnerships with institutions in the public and private sectors and with the Coordinator for the rights of children and adolescents, in connection with the project on strengthening of public institutions and civil society for the promotion, prevention and comprehensive protection of children and adolescents victimized by human trafficking in Paraguay.

44. As regards comprehensive care, between 2015 and 2017 the Centre for Referrals and Temporary Shelter for Victims of Human Trafficking assisted a total of 68 women (9 adolescents and 59 adults) who were victims of human trafficking.

45. As regards prevention, in 2015 training was provided to 1,266 staff of public sector institutions, civil society organizations and educational institutions (1,119 women and 147 men).

46. In 2016, a total of 183 persons (151 women and 32 men) attended awareness-raising and training sessions. In 2017, so far 251 persons (228 women and 23 men) have attended workshops and awareness-raising and training sessions.

47. The National Secretariat for Children and Adolescents, the Public Prosecution Service and the National Police are taking measures to prevent trafficking for purposes of sexual exploitation and forced labour of indigenous women, adolescents and girls.

48. The National Secretariat for Children and Adolescents is conducting campaigns on prevention of violations of the rights of children and adolescents, with particular reference to their trafficking and sexual exploitation at events such as the Transchaco Rally. A radio announcement, in ten languages of indigenous peoples, is broadcast on community radio stations throughout the country. Prevention workshops are held at community centres and shelters of indigenous peoples.

49. The National Police has regional offices strategically located in the border areas and checkpoints considered by national and international bodies to be most vulnerable. Every week a total of 10 requests are received asking for help finding missing persons or for investigations or inquiries, in addition to requests for international cooperation, assistance to victims, transfer of prisoners and investigations of all kinds required by judicial, fiscal and other authorities.

50. The Ministry of the Interior recently concluded a bilateral agreement with the Ministry of Security of the Argentine Republic on information sharing and streamlining of investigations through the Integrated System of Criminal Intelligence on the Crime of Human Trafficking (SisTrata).

51. The Public Prosecution Service reports that, in cases of trafficking of persons for sexual exploitation investigated over the current five-year period, all the victims were women. A total of 318 victims were rescued in national and international operations and 88 sentences were handed down for this offence and other related offences. An indigenous leader was tried and sentenced for sexually exploiting 70 children; 35 indigenous persons from the Aché Community, including four children and two adult women, were returned to their home community in Alto Paraná after being trafficked for forced labour. According to data provided by counterpart institutions in Argentina, there are 2,200 female victims there, of whom only 30 could be returned. In Spain, there are known to be 300 female victims and 14 returnees.

52. According to statistical data, the offences most reported and investigated in 2016 were: pornography (80 per cent), human trafficking (12 per cent), procuring (5 per cent) and pimping (4 per cent).

53. Together with the Supreme Court, which is responsible for the national system of judicial facilitators, the Public Prosecution Service signed a memorandum of understanding to combat human trafficking and sexual exploitation of children. A specialized unit is to train judicial facilitators in issues related to proceedings concerning human trafficking. For this purpose, 300 copies were prepared and published of the guide to services for victims of human trafficking. The guide

includes a map of the services needed by victims and a description of the services. Training in the use of the Manual of Procedures for the Specialized Unit and its protocols was provided to 150 staff of the Service and 30 members of the National Police. In addition, training and awareness-raising activities were conducted for 250 people in five departments, in conjunction with the Inter-agency Board on Human Trafficking.

Question 12

54. The focus of female politicians in Paraguay and of the National Mechanism for Women was the draft bill on democratic parity, mentioned in the replies to question 6.

55. In accordance with Act No. 1335/99, admission to a career in the diplomatic and consular service is by competitive examination based on merit and without discrimination of any kind.

56. Article 24 of Act No. 5446/15 (Public policies for rural women) provides for inclusion in the Inter-agency Commission to monitor implementation of the Act of one representative of the national or regional organization of rural women.

57. Indigenous women are achieving gender parity in their organization. The National Organization of Indigenous Peoples was created at the National Congress of Organizations of Indigenous Peoples, held in the context of the Metropolitan Seminar in the city of Asunción (31 March 2016). The Organization's membership reflects gender parity: 10 women (from Enxel Sur, Guaraní Occidental, Guana, Ishir, Ava, Mbya Guarani, Ache, Pai Tavytera) and 10 indigenous men.

Question 13

58. The draft bill on freedom of expression, protection of journalists, members of the press and human rights defenders was submitted in the Chamber of Deputies. It lays the foundations for cooperation and coordination between the branches of government, international public agencies, public institutions, organizations and private individuals and civil society in order to protect the lives, integrity, freedom, safety and employment of persons who are at risk because they are journalists, members of the press or human rights defenders.

Question 14

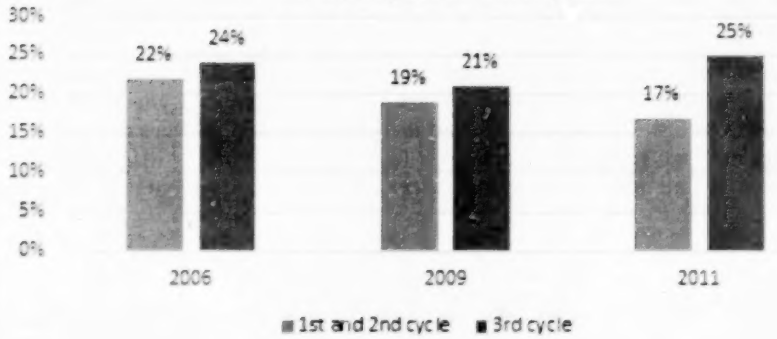
59. In 2015, the Guide for inter-agency intervention to deal with cases of violation of sexual and reproductive rights was circulated by Resolution No. 5731 for the information and training of experts, directors and teachers. This binding document defines the procedure to be followed in cases of sexual abuse and unwanted pregnancy. In 2016, the network of educators against all forms of violence against children and adolescents was formed in 12 departments with the aim of preventing the violation of those persons' rights and ensuring that timely and appropriate attention is paid to any situations that may arise. A protocol for teaching students at risk at the pre-school, basic, secondary and continuing education levels deals with situations of vulnerability (violation of sexual rights and reproductive rights). On the basis of these rules and depending on the specific situation, an intervention team will be formed with responsibilities including curriculum reform and retention of students in the education system.

60. The Republic of Paraguay is committed to the regional strategic framework for the prevention and reduction of unwanted teenage pregnancy and to the strategic implementation of several programmes.

61. These include: the *Ñañe'eke* programme concerning education to prevent sexual violence and unwanted pregnancy and sexual abuse in early childhood; the emergency education plan; the guide to inter-agency intervention to deal with cases of violation of sexual and reproductive rights in an education setting; gender equity training for members of the education community; the protocol for action and intervention in cases of violence and/or school bullying; the guide for participatory formulation of rules of coexistence; the manual "Educating by example" I and II; the protocol for teaching students at risk at the pre-school, basic, secondary and continuing education levels; remedial education services; possibilities for inter-agency intervention in cases of sexual violence and sexual abuse; the network of psychologists; the "Peer education" project; and the "Strong families" project.

Figure 14

Percentage of drop-outs by basic education cycle in 2006, 2009 and 2011



62. There was an increase in the number of drop-outs in the third cycle of basic education, whereas the numbers for the first and second cycles declined in the three years studied (figure 14). The number of students dropping out of secondary education declined considerably in the first and second grades in 2011, compared with 2009, whereas the number of drop-outs in third grade increased in the three years studied. In general, however, drop-out numbers remain high and show that a large number of indigenous children leave before the end of the school year in any basic or secondary grade.

63. Depending on the village where they live, indigenous youth of both sexes may or may not be in the formal education system. Pregnancy is not the only reason for "dropping out of the system" that discriminates against indigenous women: other factors are their language, their collective identity, their growth patterns, mobility and personal/community interests.

64. The members of the Indigenous Education Monitoring Group explain that the concept of dropping-out: needs to be rethought in the indigenous cultural context, in order to understand the other factors that may be involved. In this connection, they note that in indigenous communities young people marry and start a family early and that this often obliges them to leave the education system temporarily. They also mention that another possible explanation for the high drop-out rate in the third cycle of basic education and in secondary education is that students are discouraged by the different curriculum and methodology introduced in that cycle. The incorporation of many new subjects in the national curriculum, including an additional foreign language, to the detriment of instruction in the native mother

tongue (nivaclé, ayoreo, etc.) is thought to be unsuited to the indigenous culture and may therefore be discouraging for students.

65. The Directorate for Indigenous School Education is taking the following actions:

66. Implementation of the Literacy and Post-Literacy Project in the indigenous language of the Qom people; Implementation of the Non-Formal Programme — Literacy Components "Prodepa (Programme of Basic Bilingual Education for Youth and Adults) Prepares" and Post-Literacy "*Ñane Ñe'ẽ*"; formal education by equipping education centres for Youth and Adults in indigenous communities in various departments of the country and support and implementation of the National Campaign of Pedagogy Support for Teachers working at those centres in the indigenous context. Under the project to provide timely education for the all-round development of three- and four-year-olds in Asunción and ten of the country's departments, 16 teacher mothers were recruited.

67. The literacy programmes are: non-formal literacy, basic bilingual education for youth and adults; secondary education for youth and adults; and the vocational training programme.

68. The nation-wide non-formal vocational training programme concentrates on training skilled labour for a specific occupation. It is geared to youth and adults over 17 years of age who have completed their basic education. Vocational training is provided through professional activities focused on practical skills, aptitude for work suited to the production system, job creation and development as active citizens.

Question 15

69. Under ILO Convention No. 189, ratified by Paraguay, and with the approval of the Commission on Equity and Gender, an amendment to article 10 of Act No. 5407/15 is under consideration that would establish a minimum wage for all workers.

70. Resolution No. 278/16 of the Ministry of Labour, Employment and Social Security established a Centre for Assistance to Female Domestic Workers in the city of Encarnación, in Itapuá department. Reference is made to the bilateral cooperation between Paraguay and Panama on the exchange of good practices regarding domestic work.

71. The strengthening of the three organizations of remunerated female domestic workers (the Union of Female Domestic Workers of Paraguay, the Union of Female Domestic and Related Workers of Itapúa and the Association of Female Domestic Service Employees of Paraguay) has helped them to mobilize in support of their rights.

72. The Ministry for Women's Affairs and the Ministry of Labour, Employment and Social Security are working together on the various aspects of protection of workers, guaranteeing respect for their rights and especially for the rights of persons in a vulnerable situation. Thanks to the Tripartite Commission on Equal Opportunity, recognition is given to women working in non-traditional areas and jobs, in accordance with ILO Convention No. 100 of 1951 (Equal Remuneration Convention).

73. Developments include: a letter of intention between the Ministry of Labour and the Ministry of Social Development of Uruguay; technical assistance and mainstreaming of human rights and gender in implemented programmes and projects focusing on women, specifically on care curriculum design, transmission of

the Uruguay Process and good practices learned in care training; technical assistance for social economics and labour inclusion and arrangements for women, with emphasis on young women. Curriculum design incorporating gender components, human rights and care with experts from the National Labour Training System (SINAFOCAL) and the National Professional Advancement System; assistance to women looking for work; the first job fair in 2017; design of the training programme on comprehensive training for the world of work; identification of need and demand and job seeking; abolition of sexist paradigms in training and labour; National Professional Advancement Service (SNPP).

74. The goal is to promote the employment of women in better-paid non-traditional sectors.

Specialty	*Number of women*
Automobile	187
Construction	67
Carpentry	30
Manufacturing	464
Mechatronics	79
Metalworking	57
Refrigeration	18
Security	4
Transport	236
Total	**Participants (2017)**

75. The National Labour Training System (SINAFOCAL) provides training in entrepreneurship skills and trades. There is a course on business planning for vulnerable female heads of household. Currently 63 per cent of mothers are engaged in a productive activity. In 2016, with the slogan "Women at the wheel, safety first", training was given to professional drivers and airline pilots. Entrepreneurs in the tourism sector, Committees of Micro-Entrepreneur Producers and young people from education centres were trained in entrepreneurship and business planning.

76. With the slogan "Innovative women overcoming barriers", recognition was given to women working in non-traditional sectors who are performing creatively and effectively, overcoming cultural, economic and social barriers, as motor mechanics, concrete workers, arbitrators, municipal traffic police and football players.

77. The event "In charge for a day" enables young women to act as Deputy Ministers and Ministers.

78. The Ministry for Women's Affairs, the Ministry of Labour and Social Security, and the Ministry of Industry and Commerce, with support from the German Agency for International Development and the programme for combating violence against women in Latin America (ComVoMujer), confer on firms that have made efforts and taken action to combat violence and discrimination against women a label certifying that they are safe and free of violence and discrimination against women.

79. The campaign HeForShe has issued a guide for the formulation and implementation of a plan for equality in business.

80. As regards labour inspection, following a selective competition in 2015 new inspectors trained by ILO experts monitored compliance with national and

international labour regulations, including Convention No. 100, which is implemented throughout the country by 17 Regional Labour Inspectorates. Resolution No. 37 of 17 January 2017 created the Directorate for Indigenous Peoples, reporting to the Deputy Minister of Labour in the Ministry of Labour, Employment and Social Security and based in Chaco Central.

81. Unpaid domestic child labour (*criadazgo*) is the focus of the National Commission for the Prevention and Eradication of Child Labour and the Protection of Working Adolescents (CONAETI), coordinated by the Ministry of Labour, Employment and Social Security. Parliament is studying the draft bill criminalizing *criadazgo* and establishing penalties for all the worst forms of child labour.

82. Following the adoption of Act No. 5407/15 on the rights of workers in domestic service, consideration has been given to the Committee's recommendation concerning increased attention to unpaid domestic child labour. The Act raises the minimum age for domestic work to 18 and there are also regulations setting out the rights of children.

83. A campaign against child labour has been conducted in connection with the ILO motto for 2016: "No more child labour".

84. With ILO support, the National Commission for the Prevention and Eradication of Child Labour and the Protection of Working Adolescents posted an announcement on social networks in Latin America concerning child labour. The Commission is working with the Paraguayan Sugar and Alcohol Centre to prevent the worst forms of child labour.

85. It is standard practice to disseminate news on child labour, including impact measurement indicators, subject to respect for privacy and the fact that it is prohibited to show pictures of children and adolescents whose rights have been violated.

86. Weekly messages are posted on social networks by the Ministry of Labour, Employment and Social Security about some of the 26 worst forms of child labour that are prohibited for children under 18.

87. There is a form and special procedure for investigation of child labour cases reported to the Human Trafficking and Exploitation Unit in the Public Prosecution Service.

88. Training and workshops are conducted in several departments, with the motto "No to child labour — No to unpaid domestic child labour — Respect my rights".

89. The 2016-2019 National Strategy for the Elimination of Child Labour is in the process of being drafted and training is being given to focal points throughout the country who are authorized to investigate complaints.

90. A consultation workshop was held to finalize the text supplementing Decree No. 4951/2005 on dangerous child labour pursuant to ILO Convention No. 182 on the worst forms of child labour.

91. The study was completed on the relationship between *criadazgo* and internal trafficking as social phenomena and from the legal standpoint. The goal was to define its legal status, based on the social situation in which the unpaid child is placed, in order to determine whether it amounts to human trafficking since it is specifically internal in nature.

Question 16

92. Act No. 4313/11 on budget allocations to the programmes for reproductive health and birth kit distribution of the Ministry of Public Health and Social Welfare

covers supplies of medicines, birth kits and contraceptives. These are distributed to 18 health regions throughout the territory of Paraguay, based on reported consumption in all health services at various levels: family health units including regional and specialized hospitals, as well as distribution by women in rural and indigenous areas.

93. National mobilization for the reduction of maternal and neonatal mortality, with the slogan "Zero preventable deaths", has resulted in adoption of the Code Red strategy for the identification and management of obstetric emergencies focused on the three main causes of maternal mortality (haemorrhage, toxaemia, sepsis). Staff receive training in team work for obstetrical interventions based on current scientific evidence. Resolution No. 367/15 of the Ministry of Public Health and Social Welfare established the Neonatal Alliance of Paraguay, which will be part of the Latin American and Caribbean Neonatal Alliance. The goal is to promote joint activities to publicize and implement activities crucial for neonatal health with the active participation of government institutions, cooperation agencies, scientific associations, universities and institutions concerned with neonatal health. The programme of safe childbirth with family support is decreasing maternal and neonatal mortality. The Ombudsman's Office is monitoring the delivery of birth kits and contraceptives to all hospitals by the various care centres. The *Tekoporã* programme of the Secretariat for Social Action deals with various topics: right to an identity, health, education, food security, healthy environment, family coexistence, civics, financial education, insertion, participation and community development. It uses the Family Guide, under the close supervision of the district and departmental coordinators, who work locally with families.

94. In 2016, 37,696 families were trained under project *Kunu'u* (Protecting mothers and babies): kits for the care and comfort of newborns were distributed as part of the national campaign "Zero preventable deaths"; 251 mothers and newborns participating in the *Tekoporã* programme received kits for the "model of comprehensive interventions for youth", covering 2,700 persons in the communities involved; 1,681 adolescents were enrolled on a timely basis; 76 per cent were promoted to the next grade level; 61 schools and colleges were linked; and 2,598 adolescents learned about sexual and reproductive health, addiction prevention and life skills.

Question 17

95. The Ministry of Public Health and Social Welfare has taken action to improve data with the goal of reducing reasons for maternal death, studying the causes and focusing on those directly responsible for maternal deaths such as haemorrhage, toxaemia, abortion and sepsis, which are considered to be the main causes of preventable maternal deaths.

96. Action has been stepped up in two essential areas: monitoring of maternal mortality, among other areas, with focused research; and reclassification of maternal mortality so as to improve data for decision-making, generate strategies and allow more accurate and effective action to prevent maternal deaths on the basis of the data obtained.

97. The principal goal of the Code Red strategy is to improve the decision-making skills of professionals and to increase the use of corticosteroids, by recording medical actions for each case and especially for cases of obstetric emergencies that might cause a preventable maternal death, such as haemorrhage, toxaemia, abortion and sepsis. The Ministry of Public Health and Social Welfare is extending to nine departments the use of the geographical data for obstetric and neonatal care and the protocol for implementation of the guidelines on the provision of comprehensive

post-abortion services. Overall in 2015, in accordance with the Guide for the integrated and comprehensive network of health services and taking into account universal access to health services, 1,404 family health units, district and regional hospitals, maternal and child hospitals and specialized hospitals, depending on their level of organization, have trained staff to record, refer, diagnose and treat cases, including abortion in any of its forms, based on a policy of comprehensive care. In view of the schedule for implementation of the 2014-2018 Plan of Sexual and Reproductive Health, the monitoring and evaluation of actions is under way. According to the country-wide data base, the ten years preceding 2015 saw a 55 per cent reduction in maternal deaths for this reason, as a result of the prevention strategies. Family planning was improved as a result of Act No. 4313, ensuring the availability without charge of family planning and childbirth facilities and medication, and of the ongoing improvement in care.

Question 18

See the reply to question 14 on the regional strategic plan, programmes and guides.

98. It is currently impossible to discuss abortion in view of article 4 of the Constitution, which protects the right to life above all else. Teenage pregnancy is considered as a national issue and efforts are being made to improve the quality of comprehensive care for adolescents throughout the Integrated and Comprehensive Network of Health Services based on existing standards, with the aim of achieving more equitable access to services and eliminating discriminatory barriers. Under the 2016-2021 National Plan for Adolescent Health and the 2014-2018 National Plan for Sexual and Reproductive Health, adolescent health is a cross-cutting issue. The most important aspects are:

(a) Strategies to identify and provide timely care to pregnant girls, focusing on those who are from marginalized population groups or who are most vulnerable, including disabled and adolescent girls;

(b) Timely access to health services through user-friendly facilities which are being gradually expanded throughout the country (21 facilities) and which provide dental care and psychological and nutritional advice as well as gynaecological care.

99. The quality of care is constantly being improved and attention is paid to the safety, quality and user-friendliness of comprehensive care for adolescents, to the guides and standards applicable to care at both obstetrical and gynaecological facilities and to groups suffering the most discrimination, including disabled persons. The emphasis is on counselling and guidance, provision of "friendly" information to adolescents and their families on comprehensive health, healthy life styles and risk reduction, including sexual and reproductive health. Reflecting the higher interest of the child, the guide to the rights of children and adolescents in health facilities gives specific examples of interventions by health professionals, including those for adolescents with disabilities.

100. Staff undergo training and awareness-raising on how to provide quality guidance and care on family planning and contraception based on scientific evidence. They adopt a multicultural approach, respecting freedom of choice and using personalized strategies, for example for adolescents and persons with disabilities.

Question 19

101. The National Secretariat for the Human Rights of Persons with Disabilities is coordinating implementation of the 2015-2030 Plan of Action with different

government institutions, various levels of government, civil society, the private sector, the legislature and the judiciary. Indicators have been adopted for the rights of persons with disabilities, focusing on accessibility, health and data compilation to monitor progress and impact on the exercise of rights.

102. As specified in its rules, the *Tekoporã* programme gives priority to families experiencing poverty and extreme poverty. There has been legislative progress: Act No. 2479/04, amended by Act No. 3585/08, makes it compulsory for at least five per cent of workers in the public sector to be persons with disabilities. However, women face discrimination regarding access to employment, where preference is given to men. Women with a hearing disability are not limited as regards access to work. Women with disabilities have difficulty accessing information because of the lack of technical and technological accommodations to assist them. Job training is generally provided by the National Career Advancement Service and the National Job Training Service, with a focus on rights, gender mainstreaming and accessibility in the case of various types of disability, depending on labour market demand. An inter-agency technical board is being created for the effective inclusion in the civil service of persons with disabilities and improvement of their living conditions. The National Secretariat for the Human Rights of Persons with Disabilities (SENADIS) and the SARAKI Foundation are holding the second annual job fair, which provides an excellent opportunity for networking between people and organizations in order to identify new talent. There is also a module for the inclusion of persons with severe disabilities, allowing the social protection provided by the State to specialize in care for persons with severe disabilities in a situation of poverty. The Ombudsman's Office provides support to women with disabilities through the various State agencies, promoting inclusion in various programmes providing financial benefits.

103. The existing barriers are: low visibility and failure to mainstream the topic of women and disability in public policies, infrequency of complaints from women with disabilities who are subjected to violence, and cultural aspects. Prejudice and discrimination are obstacles to the full exercise of disability rights. Over-protectiveness and/or isolation are more serious for women and affect their education and their social and working life. Women's traditional role of motherhood is viewed differently for women with disabilities, who often are unwilling to have children because of the misconception that women with disabilities are unable to perform tasks such as bringing up and educating children. The phenomenon of invisibility of women with disabilities causes many of them to view their disability as something negative, affecting their opportunities for relationships and their social standing. In many cases, the isolation experienced by disabled girls, adolescents and women prevents them from becoming integrated in society and playing a proactive role.

Question 20

104. The overall goal of Act No. 5446/15 on public policies for rural women is to promote and guarantee the economic, social, political and cultural rights of rural women. The agencies concerned have formed the Inter-agency Commission for Law Enforcement, in which decision-making leaders and experts are represented.

105. Since 2015, the Act has been publicized at consultation meetings and mass events attended by rural women, departmental and local authorities, extension workers of the Ministry of Agriculture and Livestock and other public institutions, as well as journalists and the public. These activities involved 700 women heads of committees of rural women, 2,500 participants in public presentations, distribution of 3,000 copies of the Act and participation of 28 agencies in its dissemination and enforcement. In addition, implementation of the methodological strategy for gender

mainstreaming in programmes of the Ministry of Agriculture and Livestock is being encouraged.

106. In 2016, 1,060 rural women from 29 districts in four departments were taught to know their rights and are exercising them by interacting with the relevant agencies. In 2017, the Act continues to be publicized inside the country. There are also profitable projects, revolving funds and lines of credit with State financial institutions and partnerships with departmental and local governments for the implementation of public policies for rural women.

107. Policies are being pursued to give rural and indigenous women access on an equal footing to the processes and benefits of sustainable development. In this connection, one of the principal measures adopted for the equality of rural and indigenous women is the formulation of the institutional policy in connection with Act No. 5446/15 on public policies for rural women. This policy is aimed at ensuring gender equality with an intercultural focus so as to strengthen gender mainstreaming at the various institutional levels, based on the current needs of rural women, women engaged in family farming, fair exhibitors and indigenous women, through dialogue with the various sectors involved.

108. In 2016, the Ministry of Agriculture and Livestock provided technical assistance to 93,923 farming families and indigenous families. This included 47,793 female heads of household and 46,130 male heads of household, with 87,938 farming families in 184 districts in 16 departments and 5,985 families in 263 indigenous communities.

109. The projects and programmes executed under the Sustainable Rural Development Project (PRODERS) assisted 7,211 women and 6,155 men. The Inclusive Paraguay project gave effective assistance to 3,049 women and 4,026 men, demonstrating that there is equitable access to the programme.

110. As regards transfers from financial institutions, family farmers were helped to embrace technology through the component of non-reimbursable support (1,827 women and 2,106 men or a total of 3,933). Funds to be used for investment plans were transferred to 6,098 women and 5,432 men in several departments. Improvements included articulated business plans and micro-cap business plans for vulnerable population groups and indigenous communities (2,921 women and 4,003 men or a total of 6,924). The National Registry of Beneficiaries covers 17 departments (47,981 women and 47,457 men or a total of 95,438). The Secretariat for Social Action has a module for inclusion of indigenous families in the *Tekoporã* programme. Persons under 18 years of age with dependent children will be included as heads of households. There are 20,351 families from indigenous communities participating in the programme. Thus 16,563 indigenous women are heads of household (81 per cent). There were 37,219 indigenous women in total. The Ministry for Women's Affairs provides care for women from indigenous communities at its specialized care facilities and in particular at the regional women's centres and homes for women (shelters).

111. The judiciary has an action protocol for intercultural justice — Indigenous peoples. This is a legal arrangement for access to justice that will help judges and judicial officials to understand and deal with cases from a rights-based viewpoint and from the viewpoint of cultural diversity involving the indigenous peoples of Paraguay. The Ministry for Women's Affairs and the National Institute of Indigenous Affairs concluded a cooperation agreement to promote empowerment processes. This is an integral part of the technical coordination board of groups of indigenous peoples, providing access to available and accessible public services and training for women leaders.

Question 21

112. When considering refugee applications, the National Refugee Commission (CONARE) takes into account the situation of vulnerability and intersectionality in which some women find themselves. Most women refugees arrive in Paraguay with their families, as is allowed under Act No. 1938/02 on preferential treatment for women and children. The Government is currently studying an internal regulation governing the National Refugee Commission and the legal reform draft is still being considered in plenary meetings of CONARE. Representatives of the executive, the legislature and civil society are participating in the drafting, and technical advice is being given by the regional office of the United Nations High Commissioner for Refugees. It is true that there is as yet no comprehensive strategy for avoiding and identifying situations of sexual and gender-based violence. The Government of Paraguay, through CONARE and together with the Public Prosecution Service, the Secretariat for Childhood and Adolescence and other stakeholders, is coordinating actions to provide a rapid and effective response to any cases of abuse that may occur.

113. There are 58 women with refugee status in Paraguay and currently four applications pending. No applications for asylum cite gender issues as the reason for the women's flight.

Question 22

114. The Code for Childhood and Adolescence provides for summary proceedings in the court for children and adolescents granting judicial authorization to enter into matrimony. If there is disagreement among the minor's legal representatives or between the representatives and the minor, the court decides whether to grant the authorization.

115. If there is no disagreement among the representatives or with the minor, the authorization is not subject to judicial review and is simply recorded on the marriage certificate by the officiant. This judicial authorization procedure is not relevant or applicable in the case of cohabitation, which is recognized by law, because cohabitation is a factual situation in which the State is not involved.